

DECLARATION OF MICHAEL EDWARDS

I, Michael Edwards, am over 18 years of age and am competent to testify. I declare as follows:

1. I am a resident of District Heights, Maryland.
2. I worked as a laborer from May 2019 to approximately April 2020 for a company called Tradesmen International (Tradesmen).
3. My assignments for Tradesmen were primarily in Maryland and included working on the Metro repairing track lines at the New Carrollton, Maryland Station. I was also assigned to some projects in Virginia in the early part of 2019. In November 2019, I worked a one-day assignment in Washington, D.C.
4. I last worked for Tradesmen in April 2020.
5. From approximately June to September 2020, I worked for Bethel Solutions as a foreman at a Baltimore hospital doing mold remediation in a treatment facility.
6. I then worked for DN Tanks in Maryland where I worked from September to November 2020, building waste-plants at a water treatment facility.
7. At DN Tanks, someone tested positive for COVID-19, and I was laid off on November 15, 2020.
8. I applied for unemployment benefits on November 22, 2020, through the BEACON One-Stop portal and selected email and text message as my communication preferences.
9. My BEACON account was initially flagged for fraud even though I submitted all the requested documents, including my driver's license and social security card at least five times before the Maryland Department of Labor (MDL) accepted my identity verification.

10. The fraud hold was lifted three months later, in February 2021. Starting in February 2021, I was able to access my BEACON account but was prevented from filing weekly certifications.

11. More than four months later, around June 2021, when the function to submit weekly certifications became available in my BEACON account, I filed weekly certifications for each week I was unemployed, including the weeks I had missed due to the fraud hold.

12. On July 2, 2021, more than seven months after my initial application, I finally received a letter stating I was eligible for PUA benefits in the amount of \$176.

13. I finally received unemployment benefits beginning July 7, 2021, until September 4, 2021. However, MDL did not pay the benefits I was determined eligible for from the date of my application. In other words, I did not get my weekly benefits from November through July.

14. I inquired about this, and MDL representatives just told me BEACON would automatically correct itself.

15. Although I selected email and text message as my communication preferences when I applied for UI benefits, I only received some emails and BEACON notifications about any issues with my UI benefits. I would always receive a text message when there was something new in my BEACON portal, but I would sometimes be unable to find action items that I was alerted by text to address.

16. Around August, I followed up by calling MDL consistently to figure out what was happening with my back payments. One MDL representative I spoke with told me I needed to submit a ticket for backdating. I called back again trying to create one and a representative said they would, but nothing materialized from that.

17. I called again to check on the issue and MDL representatives said the issue was under review.

18. With nothing happening with my backdated benefits, I requested an in-person appointment for October 5, 2021, and paid a friend \$40 to drive me 75 miles to Baltimore City, to be able to meet face-to-face and try to find out how to get the benefits due to me. I arrived at MDL's office early for my appointment and waited in the lobby, and although there were people working in offices, the security guard took me back to a cubicle and set me in front of a screen for a Zoom call. At this appointment, MDL acknowledged I submitted my paystubs and W-2 seven times and that I was owed 32 weeks of payments. The agent pointed out that my driver's license had a crack in it and that I wasn't smiling in it; at this point I became frustrated because it seemed like she was trying to find any small thing to deny my claim that they admitted was due to me. The person on Zoom, who claimed they were not an adjudicator, eventually said she would put in a ticket for my backpay.

19. On October 22, 2021, I received a "Notice of Overpayment" in my BEACON correspondence section for \$4,760 (each week of PUA I was paid between July and September). This really threw me for a loop because I never received a redetermination of benefits or determination underlying the Notice of Overpayment. I was also never contacted by MDL prior to that notice about participating in any investigation into a possible overpayment. The Notice of Overpayment did not explain why or how they determined I was overpaid; it simply listed every week I was paid PUA and totaled those payments. It also contained language about fraud, but did not say whether they had made any determination that I committed fraud.

20. That same day an MDL agent called me and told me not to be alarmed about the Notice of Overpayment and that I had unemployment eligibility in Virginia. This was surprising

to me because I had not worked in Virginia since early 2019. The agent advised me to open a claim in Virginia.

21. I called the Virginia Department of Labor and Industry, but they said they did not have any wages for me there, told me I was misinformed, and that they could not backdate my claim.

22. The next day, October 23, 2021, I called MDL and a representative told me I could contest the overpayment by sending a brief email summary of why the overpayment was unjust. I did so and attached the monetary determination of eligibility for my PUA benefits and the Notice of Overpayment. MDL agents responded saying that the documents I submitted were insufficient.

23. I also filed a waiver for the overpayment in late October or early November 2021 but have not received any response for that.

24. A different MDL representative later told me I needed to file an “appeal” for the overpayment. I was not sure how to do that, or how it was different from what MDL advised me to do to “contest” the overpayment. It is also confusing because the Notice suggests I cannot appeal it. It says that I “may” have gotten some other determination related to the overpayment and that I “may” be able to appeal that other determination “within 15 days of the original determination or appeal decision.” I did not receive notice of any related determination that I could appeal. I called MDL again to find out more, but they have not returned my call.

25. This whole experience has been incredibly stressful. My vehicle insurance has lapsed, and vehicle tags expired, and I cannot afford to renew them. I was depending on the benefits I was eligible for to help me temporarily weather the COVID-19 crisis. Now, I have an

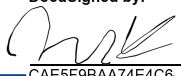
unstable agreement with Pepco to pay my electric bill that could change at any time, and I could be evicted.

26. I am currently working part-time, but my employment options are restricted to what is accessible by public transportation because I cannot afford to renew my insurance or vehicle tags right now.

27. My apartment is also flood damaged with mold that I cannot afford to repair right now. My landlord has refused to repair it himself.

28. This experience is causing me stress and frustration, and many of my bills are now past due. I have been behind on rent since around December 2020 and my power was shut off on November 15, 2021, because I could not keep up with the payment plan.

I declare under penalty of perjury that the foregoing is true and correct.

DocuSigned by:

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Michael Edwards

11/23/2021

Date